

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION  
OPIATE LITIGATION ) CASE NO. 1:17-MD-2804  
 )  
 ) Judge Dan Aaron Polster  
THIS DOCUMENT RELATES TO: )  
 )  
 )  
TPP Bellwether Cases )  
 )  
 ) ORDER SETTING  
 ) DISCOVERY CONFERENCE  
 )

The Court held a status conference on January 15, 2025 and learned that various entities, including parties and third-parties to whom subpoenae were issued, have not fully produced or fully facilitated production of certain medical data relevant to the TPP Bellwether cases. Plaintiffs and defendants each asserted that the non-production was due to failures of parties-opposite and others.

Accordingly, the Court **ORDERS** as follows. Counsel for the parties and also the third-parties listed below shall appear in Court in person at **9:00a.m. on February 26, 2025** for a discovery conference, at which time these data production issues will be fully addressed.

The Court will remove this conference from the calendar, to be replaced by a Zoom conference at the same time and date, *if* Bellwether plaintiffs and defendants jointly agree that all data production issues are resolved. The parties shall submit a status report at noon on February 24, 2025 letting the Court know. If the parties do *not* jointly agree that all data production issues are resolved, so that therefore the in-person discovery conference will go forward, the parties may nonetheless agree that resolution of remaining issues does not require the presence of some of the

identified entities listed below.<sup>1</sup>

In addition to all Bellwether parties, the following entities must appear at the discovery conference. The parties shall ensure that all entities listed below receive notice of this Order.

Aetna  
Blue Cross Blue Shield of Oklahoma  
Cigna  
CVS/Caremark  
Express Scripts  
Geisinger Health Plan  
HealthSmart  
I.E. Shaffer & Co.  
Independence Blue Cross  
MaxCareRX  
OptumRx  
Pioneer  
Rawlings  
RxBenefits  
The Health Plan

**IT IS SO ORDERED.**

/s/ *Dan Aaron Polster*

**DAN AARON POLSTER**  
**UNITED STATES DISTRICT JUDGE**

**Dated:** January 16, 2025

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<sup>1</sup> For example, if the parties report they do not jointly agree that data production is complete, but agree that resolution of their remaining disputes does not implicate or require the presence of HealthSmart, then HealthSmart is not required to attend the discovery conference.